REMARKS

Applicant respectfully requests reconsideration of the Examiner's rejection of the claims as being obvious by U.S. Patent Publication No. 2003/0037168 to Brabson, et al. in view of U.S. Patent No. 6,473,404 to Kaplan, et al.

Feature b) of claim 17 is *not* disclosed by Brabson. Brabson discloses two APPN networks, i.e., two networks using the same, not different protocols.

Feature d) of claim 17 is also *not* disclosed by Brabson. Brabson does not disclose a plurality of communications interfaces in the sense in which this term is used in the claim. A plurality (two) of communication interfaces are shown in Fig. 5 of the present application, and these two communication interfaces allow for two routes between the two networks from the source to the destination node. By contrast, the bridge (140/235) in Brabson provides only a *single* route or interface between the two networks.

Furthermore, there is *no* disclosure in either Brabson or Kaplan of any communications interfaces sending values to a first node, as required by feature d) of claim 17. In Kaplan, it is the switching system itself that determines the various values associated with each communication route. There is *no* disclosure of a communications interface between two networks that sends values to a node within one of those networks. The equivalent feature in Kaplan might be one of the interfaces 12-20 sending quality parameters to a node in one of the connected networks to the right of Fig. 1. However, such a feature is not disclosed.

Regarding feature e) of claim 17, although there is means for selecting between the various communication routes in Kaplan, there is *no* disclosure of first and second nodes in respective first and second networks having different protocols. Furthermore, these interfaces 12-20

do *not* correspond to the bridge of Brabson between the two APPN networks. Hence, it is not clear how this selection feature in Kaplan could be applied to Brabson since there is ***nothing*** to select between in Brabson. The teachings in Brabson and Kaplan are, therefore, not complementary, but instead, are disparate and incompatible.

Feature f) of claim 17 is also *not* disclosed in either Kaplan or Brabson. In the present application, the communication interfaces are remote from the first node that selects one of these interfaces for communication between the first and the second node. Thus, each remote communication interface sends respective values to the first node, and also detects the selection of the preferred interface by the remote first node. There is *no* disclosure in Brabson of the network sending any values to the source node. In Kaplan, there is *no* disclosure of sending or receiving any values to or from a separate communications interface.

If the switching arrangement of Kaplan were, for the sake of argument, considered to be a "communication interface", then there is *no* disclosure of a first node at which the selection algorithm is run, nor to which any values are sent. If the switching arrangement of Kaplan were, for the sake of argument, considered to be the "first node", then there is *no* disclosure of a plurality of interfaces from which values are received, and which can detect the selection of one of the interfaces.

In addition, there is *no* disclosure in either Kaplan or Brabson of any means for modifying the value sent to the first node by an interface upon selection of that interface. The ability, in Kaplan, for a user to manually override values as part of the selection algorithm occurs at the selection means, *not* at the communication interface as required by claim 17.

Furthermore, the modification of values only occurring upon selection of the interface is *not* disclosed in Kaplan. In Kaplan, manual modification of values occurs as part of the selective algorithm, *not* after the result of the algorithm is established.

In brief, it is respectfully submitted that there is a number of features recited in claim 17 that are *not* disclosed in either Kaplan or Brabson. Some of these features are not disclosed by combining these references, and it is therefore difficult to see how a person of ordinary skill in the art could derive these features using these two references. On this basis alone, it is submitted that claim 17 is not obvious over Kaplan in view of Brabson.

Nevertheless, it is submitted that Brabson and Kaplan are ***not compatible*** and, therefore, their teachings would not be combined by the skilled person. In particular, Brabson relates to a communication system having two common protocol networks with one interface, whereas Kaplan describes a mechanism for selecting between a number of communications channels. There is *no* common aspect to these two teachings, other than the general background technology of communications systems. Therefore, there is *no* motivation to combine these two references. There is ***nothing*** in their respective or combined teachings that would enable the skilled person to arrive at the subject matter claimed in claim 17.

It is, therefore, submitted that, in lieu of more pertinent prior art, claim 17 is allowable. Similar comments apply to independent claim 30. It also follows that the dependent claims share in the allowability of their parent claims. Applicant, therefore, requests favorable reconsideration by the Examiner and issuance of a notice of allowance.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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